

Plaintiff filed an Amended Complaint (document #13) on December 9, 2013, approximately thirteen (13) days after receiving the Motion to Dismiss. Therefore, it may amend its pleading as a matter of course under Rule 15(a)(1)(B).


It is well settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

IT IS HEREBY ORDERED that:

1. “Defendant’s Motion to Dismiss ...” (document #12) is administratively **DENIED** as moot without prejudice.
2. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: January 28, 2013



David S. Cayer
United States Magistrate Judge

